THE CONVEYANCER
AND
PROPERTY LAWYER

101

A Quarterly Journal containing Precedents and Articles

GENERAL EDITOR:
DONALD C. L. CREE, M.A.,
Of Lincoln's Inn, Barrister-at-Law.

EDITOR OF THE JOURNAL:
HAROLD POTTER, LL.B.,
Solicitor of the Supreme Court.

VOLUME 2
(New Series)

LONDON:
SWEET & MAXWELL, LIMITED,
2 & 3 CHANCERY LANE, W.C.2
1938
(Printed in England)

PRINTED IN GREAT BRITAIN BY
THE EASTERN PRESS, LTD., LONDON AND READING.

BIBL.
LONDIN.
UNIV.

ARTICLES IN VOLUME 2.

BOOKS REVIEWED: PAGE

Arnold: Settled Land Acts 384P
Encyclopædia of the Laws of England, Vol. I ... 384I
Eversley: Domestic Relations 384R
Heap: Planning Law for Town and Country 384M
Parry: Law of Succession, Testate and Intestate ... 188
Pollock: Law of Partnership 189
Prideaux: Forms and Precedents in Conveyancing ... 284
Stewart-Wallace: Introduction to the Principles of Land Registration 384N
Strachan: Law of Trust Accounts 192
Williams: Law and Practice of Bankruptcy 190

COAL MINES: REGISTRATION OF INTERESTS 91

COMPENSATION ON NOTICE OF FORFEITURE OF LEASE. By L. A. Blundell 299

CONDITIONS OF SALE OF LAND. By E. O. Walford 51, 133, 208, 317

CONVEYANCER'S NOTEBOOK 91, 97, 193, 289

CONVEYANCING WITH REGISTERED LAND. By F. R. Crane.
I. Introduction: The Register 42
II. First Registration 106
III. Transfer on Sale 241, 342

FAIR WEAR AND TEAR CLAUSE. By L. A. Blundell ... 1

INCREASE OF RENT AND MORTGAGE INTEREST (RESTRICTIONS) ACT, 1938. By L. A. Blundell 361

INTESTATE'S RESIDUARY ESTATE 200, 296

LAND REGISTRY NOTICES 96, 99, 202, 292

LANDLORDS' COVENANTS 11

PAGE

Law Reform, Consideration and Equity. By S. J. Bailey 32

Notes of Recent Cases:

Conveyancing and Real Property Cases 66, 164, 257, 371
Death Duty Cases 89, 188, 282, 384n
Income Tax Cases 86, 184, 278, 384o
Landlord and Tenant Cases 81, 179, 265, 378
Will Cases 180, 271, 383

Reclassification of Property Law 128

Registration of Rentcharges affecting Land held by Companies 197

Registration of Sub-contracts for Sale 101

Remainder to "Survivor" of Persons for Life Only: Vested or Contingent? By F. E. Farrer 307

Remoteness and Ultimate Trusts for Statutory Next-of-Kin. By P. H. Sée 103

Report of the Chief Land Registrar 294

Requisitions on Title 198, 289

Restrictive Covenants and Leases of Registered Land 98

Restrictive Covenants and Transfers of Registered Land 195

Right to Take Water on the Land of Another. By J. S. Fiennes 203

Rights of Way: The Right to Deviate. By Robert Grundy 302

Undivided Shares and Trusts for Sale 195

Undivided Shares: Sale by Surviving Trustee for Sale 93

Waste and the Settled Land Act 233

TABLE OF PRECEDENTS.

AGREEMENT.

PAGE

Agreement as to Demolishing House or Houses Ordered to be Demolished under Housing Acts 428

ANNUITY.

Covenant to Pay Annuity, with Special Proviso for Reduction or Cesser of Annuity if Annuitant Inherits Further Property .. 457

ASSENTS.

Assent by Administrators (who have Completed Administration) Vesting Intestate's Lands in Trustees for Sale under Section 33 of Administration of Estates Act, 1925 414

Assent by Executor of Tenant in Common in Favour of Surviving Tenant in Common (Equitable Interest) 415

Assent by Personal Representatives of Deceased Tenant for Life to Remainderman Absolutely Entitled Subject to Charge Created by Personal Representatives 394

ASSIGNMENTS. *See* CONVEYANCES.

CHARGES AND MORTGAGES.

Legal Charge, Pursuant to Provisions of Settled Land Act, 1925, by Personal Representatives of Deceased Tenant for Life to Give Effect to Equitable Charge by Remainderman who has Become Absolutely Entitled to Settled Land 389

Deed Providing that as Between Mortgagor and Assignees of Part of Mortgaged Property the Part Retained by him shall be Primarily Liable to Discharge the Mortgage Debt 431

CONVEYANCES AND ASSIGNMENTS.

Unregistered Land.

Assignment of Leasehold Premises Forming Part of Partnership Assets by Surviving Partner and Executors of Deceased Partner to Company Formed to Take Over Partnership Business .. 385

Conveyance by Mortgagee in Exercise of his Statutory Powers of Sale of Several Properties Mortgaged to him by Different Mortgagors 453

Conveyance in Fee Simple in Exercise of Statutory Trusts for Sale, where Property was Originally Conveyed to Vendors as Joint Tenants or as Tenants in Common Since 1925 407

Conveyance on Sale to Father in Trust for Sale, Father Declaring that he Holds Proceeds of Sale on Trust for his Infant Child .. 446

Registered Land. PAGE

Transfer of Freehold Comprising the Whole Title Subject to Restrictive Covenants, with Variations for Third Party Joining to Release Some of the Covenants (Registered Land) 440

LEASES AND TENANCIES.

Lease for Term of Years Determinable on Death of Lessee 402
Lease of Gravel, Quartzite, and Sand 396
Repairing Covenant by Lessee with New Form of Fair Wear and Tear Clause 388
Strict Form of Agreement for Building Lease Applicable to Cases where Existing Buildings upon the Site are Let. Provisions for Deposit of Substantial Sum as Security—Payment of Rent by Tenant as from Date of Agreement—Tenant Obtaining Vacant Possession of Site—Pulling Down of Old Buildings and Erection of New Ones—Ascertainment of Damages—Guarantors 459
Tenancy Agreement Granted to Husband and Wife Jointly: Protection of Landlord in Respect of Distress on Goods on Hire-Purchase 442

REGISTERED LAND. *See* CONVEYANCES.

RELEASE.

Directions by Residuary Legatees to Executors Providing for Distribution of Estate Between the Legatees and Additional Beneficiary whose Name was Omitted from Will by Mistake 451
Deed of Release and Indemnity to Executors of Will on Distribution of Estate in Accordance with Directions of the Residuary Legatees 451

SETTLEMENT.

Settlement by Alien Resident in England with a View to Protecting his Property in Event of War Between Great Britain and his Country of Origin 433

TRUSTS AND TRUSTEES.

Appointment by Administrators (who have Completed Administration of the Estate) of New Trustees of Trust for Sale Arising Under Section 33 of Administration of Estates Act, 1925, in Respect of Intestate's Residuary Estate 411
Appointment by Surviving Joint Tenant of New Trustee of Statutory Trusts Affecting Land Conveyed Since 1925 to Appointor and to Deceased Trustee as Joint Tenants 409
Appointment by Surviving Tenant in Common of New Trustee of Statutory Trusts Affecting Land Conveyed Since 1925 to him and a Co-Tenant 410
Deed to Give Effect to Arrangement Sanctioned by the Court Under Section 57 of Trustee Act, 1925, whereby Investments and Life Policies are Assigned to Trustees in Substitution for Proceeds of Sale of Investments Paid Over to Beneficiaries 447

WILLS. *See also under* RELEASE.

PAGE

First Codicil Providing for Money Advanced or to be Advanced to Private Limited Company in which Some of Beneficiaries Under Testator's Will are Interested to be Brought into Hotchpot .. 458

Will of Married Man Providing for his Wife and Children (Short Form) 416

Will of Married Man Providing for his Wife, Grown-up Children and Remoter Issue, with Provisions Intended to Save the Children Income and Surtax (Short Form) 424

Will of Widow Providing for Spinster Daughters (Short Form) .. 420

Digitized by the Internet Archive
in 2026

https://archive.org/details/conveyancer-and-property-lawyer_1938_2_contents

TABLE OF CASES.

[*Figures in Black Type indicate that the Case is fully discussed.*]

Aldin *v.* Clark, 266
Allen and Driscoll's Contract, *Re*, 148, 225
Allen and Murray *v.* Trehearne, **187, 384G**
Allen *v.* Smith, 324
Allhusen *v.* Whittell, 86
Alston-Roberts-West's S. E., *Re*, 371
Amos, *Re*, 310
Anchor Trust Co. *v.* Bell, 375
Anglo-Continental Carpet Co., *Re*, 53
Antrobus *v.* Smith, 38
Arkwright *v.* Gell, 206
Armstrong *v.* Estate Duty Commrs., **89**
Arnold *v.* Holbrook, 306
Ashburner *v.* Sewell, 215, 248, 255
Ashby *v.* Wilson, 24
Ashton's Estate, *Re*, 164
Atkin *v.* Rose, 25
Att.-Gen. *v.* Floyer, 90
—— *v.* Lonsdale, 164
—— *v.* Meech, 384H

Bagot, *Re*, 236
Bain, *Re*, **164**
—— *v.* Fothergill, 329
Ballard's Conveyance, *Re*, **74,** 344, 377, 378
Bampton (Ronald) *v.* D. Garner & Sons, Ltd., **76, 77**
Banister, *Re*, 163
Banks *v.* Goodfellow, 277
Barnardo's Homes *v.* C. I. R., 86
Barnes *v.* Hely Hutchinson, **185, 186, 384G**
Bartlett *v.* Tottenham, 373
Barton *v.* Dawes, 210
—— *v.* Reed, 25
Barwick *v.* Matthews, 59
Bastin *v.* Bidwell, 29
Bates, *Re*, 384E
Baynes *v.* Lloyd, 12
Beauchamp *v.* Frome R. D. C., **372**
Bebbington, *Re*, 328, 331
Belcham and Gawley, *Re*, 216, 248
Bellamy *v.* Debenham, 213
Bellotti *v.* Chequers Development, Ltd., 246, 247, 342
Belsey *v.* Harrison, 312
Bennett *v.* Marshall, **280, 281**
—— *v.* Womack, 22
Bernhardt *v.* Galsworthy, 196, 236
Berton *v.* London Counties House Property Co., 25
Best, *Re*, 431
Bettesworth, *Re*, 225
Beyfus and Masters, *Re*, 144
Beyfus *v.* Lodge, 57, 147, 163
Bird *v.* Fox, 212
Blaiberg *v.* Keeves, 163
Blair *v.* Duncan, 165
Blake, *Re*; Berry *v.* Green, 383
Blay *v.* Dadswell, 328
Bohrmann, *Re*; Caesar and Watmough *v.* Bohrmann, **277**
Bolton Partners *v.* Lambert, 151
Borman *v.* Griffith, 213, 353
Borough, *Re*, **283**
Bosanquet, *Re*, 80
Bottomley *v.* Bannister, 178
Boulton *v.* Sutherland, **269**
Bowen, *Re*, 384E
Bowring, *Re*, 384D
Bradford *v.* Pickles, 171
Bradshaw *v.* Bird, 338
—— *v.* Widdrington, 177
Brandling *v.* Palmer, 324
Brewer and Hankin, *Re*, 216
Bridgen, *Re*; Chaytor *v.* Edwin, **181, 182**
Bridgett and Hayes' Contract, *Re*, 350
Brigg *v.* Thornton, 24

Briggs *v.* Parsloe, **170**
Brine and Davies' Contract, *Re*, 243, 250, 251
British Maritime Trusts *v.* Upsons, 111
Brooks *v.* Brimecome, 335, 365
Broughton *v.* Snook, **371**
Browne *v.* Flower, 266, 267
Bryan *v.* Wetherhead, 353, 381
Budd Scott *v.* Daniel, 12
Bulkeley *v.* Stephens, 271, 272, 384A
Bull *v.* Hutchens, 146
Bullard *v.* Harrison, 306
Burch *v.* Farrow's Bank, 29
Burnett *v.* Lynch, 12
Burrows *v.* Lang, 373

Caballero *v.* Henty, 248, 323
Camberwell, etc., Building Society *v.* Holloway, 144
Capital and Counties Bank *v.* Rhodes, 263
Carlisle Banking Co. *v.* Thompson, 162
Carnarvon's S. E., *Re*, 175
Carnarvon *v.* C. I. R., 279
Carr *v.* Benson, 204
Carville, *Re*; Stone *v.* Skeats, 276
Catling, *Re*; Public Trustee *v.* Catling, 402
Cato *v.* Thompson, 37
Chadock *v.* Cowley, 315
Chambers *v.* Randall, 27
Chapple, *Re*, 419
Chester *v.* Willans, 311
Chilcot, *In b.*, 273
Chowood's Registered Land, *Re*, 125
Chowood, Ltd. *v.* Lyall, 125
Citron *v.* Cohen, 5
Clark *v.* Barnes, 264, 351, 353
Clarke, *Re*, 166
Cochrane *v.* Cochrane, 259
Coe *v.* Clay, 13
Coles *v.* White City (Manchester) Greyhound Association, 227
Collingwood *v.* Stanhope, 167
Commrs. Inland Revenue. *See* Inland Revenue Commrs.
Cooper and Allen's Contract, *Re*, 454
Copelin's Contract, *Re*, **257**
Corbett *v.* C. I. R., **86**
Cousen's Will Trusts, *Re*, **79, 80**
Cousins *v.* Sun Life Assurance Co., 176
Cox and Neve's Contract, *Re*, 76
Cox *v.* Coventon, 323
Crabbe *v.* Crabbe, 40
Craven's Estate, *Re*; Lloyds Bank *v.* Cockburn, **184**
Crawshay, *Re*, 384D, 384E
Crew *v.* King, 313
Crosthwaite *v.* Dean, 376
Cubitt *v.* Porter, 260
Cunard *v.* Antifyre, Ltd., 21
Curling *v.* Austin, 209, 211, 213
Curtis *v.* French, 328

Dale *v.* Hatfield Chase Corporation, 339
Darby's Estate, *Re*, 431
Dashwood *v.* Magniac, 236, 239
Davenport *v.* Charsley, 324
Davies' Will Trusts, *Re*, 196
Davies *v.* Davies, 5
Dawson *v.* Brinckman, 212
Day *v.* Singleton, 153
Denne *v.* Light, 213
Dennis *v.* Malcolm, 115
Dimmock *v.* Hallett, 323
Doe *d.* Dormer *v.* Wilson, 307, 308, 310, 313
—— *d.* Rodd *v.* Archer, 328
Dougherty *v.* Oates, 325
Dowson *v.* Solomon, 151
Doxat, *Re*, 384E
Drake Settlement Trusts, *Re*, **89, 90**
Drake *v.* Gray, 74
Drake's Settlement Trusts, *Re*, **188**
Duce and Boot's Contract, *Re*, **67—69,** 162, 350
Duncomb's Case, 306
Dunstan *v.* Benney and Others, **380, 331**
Dunster *v.* Hollis, 21
Dyke, *Ex p.*, 179
Dykes *v.* Blake, 216
Dyson *v.* Forster, 73

Ebsworth *v.* Tidy, 220, 223
Ecclesiastical Commrs., *Re*, **71—75,** 252
—— *v.* Sackville Estates, Ltd., **87**
Edell *v.* Dulieu, 325
Edwards, *Re*, 176
Egg *v.* Blaney, 226

Ellis *v.* Rogers, 153
—— *v.* Walker, 183
Elwes *v.* Mawe, 206
Esdaile *v.* Stephenson, 218
Eustace *v.* Scawen, 311, 312, 313
Ewart *v.* Fryer, 140, 141

Fenton *v.* Nevin, 276
Fenwick *v.* Schmatz, 262
Ferens *v.* O'Brien, 206
Finch *v.* Underwood, 29
Firth's Estate, *Re*, **384A**
Fitzgerald's S. E., *Re*, 167
Flather *v.* Hood, 325
Fletcher *v.* Birkenhead Corporation, 173
Flight *v.* Bolland, 37
Flint, *Re*, 196, 236
—— *v.* Woodin, 324
Flower *v.* Hartopp, 209
Flureau *v.* Thornhill, 329
Forsey and Hollebone's Contract, *Re*, 226, 244, 249, 250
Forster *v.* Williams Deacon's Bank, Ltd., 419
Fortescue *v.* Abbot, 308, 315
Foulsham *v.* Pickles, 281
Fowkes *v.* Pascoe, 40
Fox, *Re*; Dawes *v.* Druitt, **274**
Frewen, *Re*, **371**
Froy, *Re*, **376**

Gale *v.* Squier, 218
Gallinga Will Trusts, *Re*, **371**
Gamage *v.* Payne, 442
Gaved *v.* Martyn, 206
Gilbertson *v.* Fergusson, 185, 186
Girling *v.* Girling, 156
Gloag and Miller, *Re*, 148, 149
Goldie *v.* Adam, **273**
Gooch *v.* Gooch, 168
Gosling *v.* Woolf, 141, 142, 143, 253
Gossett *v.* Howard, 81
Gott *v.* Gandy, 16
Goudge *v.* Broughton, 268
Grant *v.* Edmondson, 73
Great Northern Ry. and Sanderson, *Re*, 221, 222
Greenhalgh *v.* Brindley, 214
Griffen *v.* Pillet, 21
Griffiths *v.* Penson, 211
Grimwood *v.* Moss, 179
Grosvenor Hotel Co. *v.* Hamilton, 265, 266
Gutteridge *v.* Munyard, 2, 3, 4, 9
Gwyon, *Re*, 165

Haedicke and Lipski, *Re*, 323, 324
Hagger, *Re*; Freeman *v.* Arscott, 181
Hall's Settlement Trusts, *Re*; Samuel *v.* Lamont, **181**
Hall *v.* Rogers, 267, 268
—— *v.* Smith, 323
Halsey *v.* Grant, 218
Halsted's Will Trusts, *Re*, **166**
Hammersmith and City Ry. *v.* Brand, 173
Hancock *v.* Caffyn, 13
Hargreaves and Thompson, *Re*, 156
Harker's Will Trusts, *Re*, 233, 234
Harmer *v.* Jumbil (Nigeria) Tin Areas, Ltd., 265, 266
Harnett *v.* Barker, 163
Harris *v.* Hickman, 22
Harrison's Trusts, *Re*, 233
Harrison *v.* Belsey, 311, 312
Harrop *v.* Hirst, 204
Haskell *v.* Marlow, 5, 6, 7, 8, 9
Hawkins *v.* Carbines, 304
Hayes *v.* Bickerstaff, 13
Hayter, *Re*, **79**
Heginbottom *v.* Watts, 361
Heilbut Symons & Co. *v.* Buckleton, 78
Hewett, *Re*, 311
Hewitt *v.* Rowlands, 333
—— *v.* Spiers & Pond, Ltd., 81
Heywood's Conveyance, *Re*, 377
Higginbotham *v.* Holme, 287
Higgins and Percival, *Re*, 146
Highett and Bird, *Re*, 148, 149, 151
Hobson *v.* Bell, 220
Holden *v.* Howard, **268**
Holland, *Re*, 38
Horlick's Trusts, *Re*, **384D**
Horne *v.* Struben, 210, 245
Hoskins *v.* Woodham, **262**
House, *Re*, 196
House Property and Investment Co., Ltd. *v.* Kneen, **384C**
Houston *v.* Burns, 165
Howard *v.* Gossett, 81
Howe *v.* Botwood, 23
Howell *v.* Kightley, 146

Hubbuck, *Re*, 417
Hudd *v.* Matthews, 340
Hunt *v.* Luck, 248
Hunt (Chas.), Ltd. *v.* Palmer, 57, 324
Hurst *v.* Picture Theatres, 37

Iggulden *v.* May, 12
Imperial Loan Co. *v.* Stone, 372
Imray *v.* Oakshette, 138, 141
Inland Revenue Commrs. *v.* Crawshay, 283
—— *v.* Gull, **185**
—— *v.* Holder, 278, 279
—— *v.* Lawrence, Graham, 279
—— *v.* Marie Celeste Soc., 86
Ivimey *v.* Stocker, 206

Jacob, *Re*, 416
Jacobs *v.* Revell, 247
Jaeger *v.* Mansions Consolidated, 11
Jane *v.* Jane, 273
Jauncey, *Re*, 279
Jay's Furnishing Co. *v.* Brand & Co., 379
Jefferys *v.* Jefferys, 35, 37
Jenkins *v.* Jackson, 11
Jewish Maternity Society's Trustees *v.* Garfinkle, 267
Job *v.* Banister, 29
Johnson & Co., *Re*, 53
Jones *v.* Carter, 179
—— *v.* Lavington, 12
—— *v.* Westcomb, 275
Jones and Jones *v.* Nelson, 382

Kempthorne, *Re*, 196, 236
Kensington *v.* Bouverie, **173, 175**
King *v.* Rasdell, 315
Kirk *v.* Eustace, **163**
Knight Sugar Co. *v.* Alberta Ry., 247, **262, 263,** 351

Lachlan *v.* Reynolds, 325
Lacon, *Re*, 235, 239
Lake *v.* Dean, 323
Lambert *v.* F. W. Woolworth & Co., Ltd., **83—85**
Lane *v.* Pannel, 312
Laurie *v.* Lees, 146
Lavery *v.* Pursell, 36
Leeds *v.* Cheetham, 18
Leeke's Settlement Trusts, *Re*, **166, 167**
Legh's Resettlement Trusts, *Re*, **168,** 307—316
Lehmann *v.* McArthur, 153
Leighton's Conveyance, *Re*, 112
Le Neve *v.* Le Neve, 157
Leslie, *Re*, 176
Lewis, *Re*, 417
Liberty's Will Trusts, *Re*, 175, 237, 238
Llanover's S. E., *Re*, 371
Llewellyn *v.* Earl of Jersey, 211
Lloyds Bank, Ltd., *Re*, 143
Lock *v.* Pearce, 300
Lockharts *v.* Rosen, 149
Lofft *v.* Dennis, 18
London Corporation *v.* Riggs, 213
London County Properties *v.* Berkeley Property, 78
Long *v.* Collier, 209
Lord Advocate *v.* Fleming, **384H**
—— *v.* Inzievar Estates, **384H**
Lovell *v.* Smith, 305
Lowndes *v.* Lane, 217, 324
Lowther *v.* Clifford, 22
Lumley *v.* Metropolitan Ry., 24
Lurcott *v.* Wakeley and Wheeler, 3
Lyttelton Times Co., Ltd. *v.* Warner's, Ltd., 265

Mackin *v.* Watkinson, 20
Mainwaring, *Re*, 431
Mair, *Re*, 448
Manchester Bonded Warehouse Co. *v.* Carr, 5
Mantz *v.* Goring, 1, 4, 9
Marland *v.* C. I. R., 279
Marshall and Salt, *Re*, 155, 156
Mason *v.* Corder, 153
—— *v.* Pall Mall Deposit and Forwarding Co., Ltd., **279, 280**
Mawson *v.* Fletcher, 215
Meek *v.* Kettlewell, 38
Meinertzagen *v.* Walters, 384C
Melksham U. D. C. *v.* Wiltshire County Council, **231**
Melles & Co. *v.* Holme, 20
Menzies *v.* Breadalbane, 206
Midgley *v.* Coppock, 225, 337
—— *v.* Smith, 325
Milburn *v.* Lyons, 264
Miles *v.* Easter, 27

Miller and Pickersgill's Contract, *Re*, 350
Miller *v.* Burt, 4
—— *v.* Cannon Hill Estates, Ltd., 178
Milligan *v.* Cooke, 324
Milroy *v.* Lord, 38
Mitcham Golf Course (Trustees) *v.* Ereaut, **87**
Molyneux *v.* Hawtrey, 324, 325
Monro *v.* Taylor, 212
Moody and Yates, *Re*, 146
Moore *v.* Ullcoats Mining Co., 180
Morley's Estate, *Re*; Hollenden *v.* Morley, 180
Moss' Empires, Ltd. *v.* Olympia, **382**
Muller *v.* Trafford, 30
Murphy *v.* Hurley, 21

Newby *v.* Harrison, 204
Nicholson's Settlement, *Re*, **258**
Nicholson *v.* Jackson, 369
Nicoll *v.* Chambers, 209, 210
Nottingham Patent Brick and Tile Co. *v.* Butler, 243, 248

O'Cedar, Ltd. *v.* Slough Trading Co., 266, 267
Official Trustee of Charity Lands and another *v.* Ferriman Trust, Ltd., **82**
Oldfield *v.* Round, 217
Ossemsley Estates, Ltd., *Re*, **75, 76**
Otto *v.* Bolton, 178

Paget *v.* Huish, 183
Palmer *v.* Goren, 151
Patcher *v.* Paul, 258
Patman *v.* Harland, 137
Paton (as Trustee for Fenton) *v.* C. I. R., **278**
Pearman *v.* Dyer, 335
Pegler *v.* White, 152
Pemsel's Case, 164
Pemsel and Wilson *v.* Tucker, 214, 216
Perry *v.* Sharon Development Co., **178,** 262
Pettey *v.* Parsons, 305
Phillips *v.* Miller, 324
—— *v.* Silvester, 151
Pillans *v.* Van Mierop, 32
Pinnington *v.* Garland, 213
Pitt, *Re*, 296
Plews *v.* Samuel, 151
Plumptre's Marriage Settlement, *Re*, 39
Pollard *v.* Gare, 266
Ponder, *Re*, 296
Poole and Clark's Contract, *Re*, 255
Port *v.* Griffiths, **265, 266**
Portman *v.* Mill, 218
Pownall *v.* Graham, 384c
Price, *Re*, 236
Prince, *Re*; Hardman *v.* Willis, 180
—— *v.* Evans, 328
Prytherch, *Re*, 375
Puckett and Smith, *Re*, 216, 248—250
Pullan *v.* Koe, 38, 39
Pyke, *Re*, 235

Queen Anne's Bounty *v.* Tithe Redemption Commissioners, **78, 79**
Quinlan *v.* Avis, 335

R. *v.* Barnstaple JJ., 464
—— *v.* Greenhow Inhabitants, 304
—— *v.* Hornsea Inhabitants, 304
—— *v.* Oldreave, 304
Race *v.* Ward, 203, 204, 205
Ramsden *v.* Dyson, 36
Rann *v.* Hughes, 32
Reeve *v.* Berridge, 323
Refuge Assce. Co. *v.* Pearlberg, **374, 375**
Regent's Canal Co. *v.* Ware, 151
Remon *v.* City of London Real Property Co., 268
Richards *v.* Pryse, 338, 339
Rigby *v.* Waugh's Executors, 326
Ringer *to* Thompson, 146
Roberts, *Re*, 308, 313
Robinson *v.* Nesbitt, 327
Roby, *Re*, 384c
Rochester, etc., Sewerage Board *v.* Clinch, 327
Rodenhurst Estates, Ltd. *v.* W. H. Barnes, Ltd., 82
Roe *v.* Hayley, 30
Rooke *v.* Plunkett, 167
Rose and Frank Co. *v.* Crompton Bros., Ltd., 33
Royal Bristol Building Socy. *v.* Bomash, 151, 323

Rugby School (Governors) *v.* Tannahill, 300
Russ and Brown, *Re*, 144, 251
Rutherford's Conveyance, *Re*, 261
Rutter *v.* Everett, 380
Ryan, *Re*, 222
Ryder and Steadman's Contract, *Re*, 196

Salaman *v.* Holford, 280
Samuda's Settlement Trusts, *Re*, 168
Sandbach and Edmondson, *Re*, 163
Saunders *v.* Vautier, 383, 384
Scalé *v.* Rawlins, 275
Scales *v.* Lawrence, 5
Scholefield *v.* Redfern, 271
Schwann *v.* Cotton, 206
Schwartz *v.* Locket, 13
Scottish American Investment Co. *v.* C. I. R., **384F**
Selby *v.* Nettlefold, 305
Sergeant *v.* Nash, Field & Co., 179
Shackleton *v.* Sutliffe, 216
Shaw *v.* Foster, 151
Shawdon's S. E., *Re*, 238
Shelley's Case, 314
Shepherd *v.* Croft, 216
Sibley's Trusts, *Re*, 376
Simeon (Sir John) and the Isle of Wight R. D. C., *Re*, **171**, 203
Simmons *v.* Associated Furnishers, 29
Simpson and Moy, *Re*, 222
Skeats, *Re*, 276
Skinners' Co. *v.* Knight, 300
Smart Bros. *v.* Holt, 379, 443
Smith's Estate, *Re*, **176**
Smith *v.* Colbourne, 214
—— *v.* Keal, 81
—— *v.* Kinsey, 331
—— *v.* Tolcher, 222
Spence's Estate, *Re*, **165**
Spencer, *Re*, 418
Spollon and Long's Contract, *Re*, 112
Stamford and Warrington, *Re*, 238, 239
Standing *v.* Bowling, 40
Stanley *v.* Towgood, 1
Stedham and Dyke, *In b.*, 272
Steele, May and Wilson, *In b.*, 273
Steele *v.* Mart, 375
Stock *v.* Meakin, 225, 226
Stokes *v.* Little, 335, 368
Stoney *v.* Eastbourne R. D. C., 248, 255
Stratton, *Re*, 165
Strood Estates Co., Ltd. *v.* Gregory, **85**
Stuart *v.* Diplock, 24
Sunnyfield, *Re*, 75
Sutherland *v.* Heathcote, 204
Swans, The Case of, 205

Tailby *v.* Official Receiver, 39
Taylor, *Re*; Goldie *v.* Adam, **273**
—— *v.* Taylor, **88**
—— *v.* Webb, 7, 9, 10, 388
Terrell *v.* Murray, 4
Terrene, Ltd. *v.* Nelson, **77, 78**
Terry, *Re*, 233
Thomas *v.* Metropolitan Housing Corpn., Ltd., 267
Threlfall, *Re*, 179
Tichborne *v.* Weir, 82
Tilbury *v.* Silva, 59
Tillet *v.* Nixon, 375
Times Furnishing Co., Ltd. *v.* Hutchings, **378—380**
Todd *v.* Gee, 221
Torbay Hotel *v.* Jenkins, 75
Tredway *v.* Machin, 20
Trim *v.* Sturminster R. D. C., 354, **381**
Tritton *v.* Foote, 29
Trollope *v.* Caplan, 77
—— *v.* Martyn, 77
Tulk *v.* Moxhay, 37, 126
Turkington, *Re*, **165**
Turner, *Re*, 418
——, *Re*; Tenant *v.* Turner, **384A**
—— *v.* Carlton, 384G
Tyser *v.* Att.-Gen., **284**

Union Lighterage Co. *v.* London Graving Dock Co., 213
Union of London and Smith's Bank, *Re*, 49, 74, 249, 251, 261, 343
University College, Oxford *v.* Sec. of State for Air, **374**
Upjohn *v.* Seymour Estates, Ltd., **259**

Vaux, *Re*; Nicholson *v.* Vaux, **384B**

Wait, *Re*, 39
Wallis *v.* Hands, 13
Want *v.* Stallibrass, 348
Warwick's Settlement Trusts, *Re*, **173, 373**
Waterer (John), etc., Ltd. *v.* Huggins, 333
Watson *v.* Gray, 260
Webb *v.* Hearing, 315
Webster, *Re*; Goss *v.* Webster, **183**
Weld *v.* Petre, 176
West *v.* Gwynne, 156
Wharton *v.* Masterman, 384
Whitby *v.* Von Luedecke, 168, 307, 309
White, *Re*, **282, 384I**
—— *v.* Bembridge, 361
—— *v.* Bijou Mansions, Ltd., 25, 48, 49, **69—71,** 72, 73, 98, 121, 125, 126, 135, 244, 249, 250, 251, 253, **260, 261**
—— *v.* City of London Brewery, 375
—— *v.* Hay, 155
—— *v.* Summers, 314
White and Smith, *Re*, 323, 325
Wickham *v.* Hawker, 205
Wilchick *v.* Marks, 21
Wilkes, *Re*, 299
Williams *v.* Atlantic Assurance Co., 384L
—— *v.* Heales, 82
—— *v.* Morgan, 211
Williams *v.* Spargo, 134, 145
—— *v.* Williams, **81**
Williamson *v.* Pallant, 269, 270
Willis *v.* Watney, 210
Willoughby *v.* Eckstein, **66, 67**
Wilson *v.* Clapham, 151
Winter *v.* Dumerque, 153
Winterstoke's Will Trusts, *Re*; Gunn *v.* Richardson, **271, 272, 384A**
Witham, *Re*, 177, 196
Wood *v.* Leadbitter, 37
Woodall *v.* Clifton, 30
Wooler *v.* Wright, 81
Woolwich Equitable Building Socy. *v.* Preston, **179, 180**
Woolworth & Co., Ltd. *v.* Lambert, **83,** 155
Wyles, *Re*; Foster *v.* Wyles, **275, 276**
Wythes, *Re*, 236

Yandle *v.* Sutton, 216
Yerburgh, *Re*, 298, 414
Young *v.* Ashley Gardens Properties, Ltd., 155
Ystradyfodwg Sewerage Board *v.* Bearsted, 87

Zetland (Marquess of) *v.* Driver, **72,** 343, **377, 378**